

HILL, BETTS & NASH LLP  
Gregory O'Neill (GON 1944)  
Francis W. Turner (FT-5174 )  
*Attorneys for Defendants*  
World Financial Center  
200 Liberty Street, 26<sup>th</sup> Fl.  
New York, NY 10281  
(212) 839-7000

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

MARIN DUMITRESCU,

08 CIV 5461

Plaintiff,

**ANSWER**

- against -

GENERAL MARITIME MANAGEMENT, INC.,  
And GENERAL MARITIME CORPORATION,

Defendants.

-----X

Defendants, GENERAL MARITIME MANAGEMENT, LLC (S/H/A  
GENERAL MARITIME MANAGEMENT INC.), and GENERAL MARITIME  
CORPORATION by their attorneys Hill, Betts & Nash LLP, as and for their  
Answer to the Complaint herein allege upon information and belief as follows:

**FIRST COUNT**

FIRST: Deny the allegations contained in paragraph FIRST of the  
First Count of the Complaint but admits upon information and belief, at all times  
hereinafter mentioned, the defendant GENERAL MARITIME MANAGEMENT,  
LLC was a foreign limited liability company.

SECOND: Admit the allegations contained in paragraph SECOND of the First Count of the Complaint.

THIRD: Deny the allegations contained in paragraph THIRD of the First Count of the Complaint.

FOURTH: Deny the allegations contained in paragraph FOURTH of the First Count of the Complaint.

FIFTH: Deny the allegations contained in paragraph FIFTH of the First Count of the Complaint.

SIXTH: Admit the allegations contained in paragraph SIXTH of the First Count of the Complaint.

SEVENTH: Deny the allegations contained in paragraph SEVENTH of the First Count of the Complaint.

EIGHTH: Deny the allegations contained in paragraph EIGHTH of the First Count of the Complaint.

NINTH: Deny the allegations contained in paragraph NINTH of the First Count of the Complaint.

### **SECOND COUNT**

TENTH: As and for their response to paragraph TENTH of the Second Count of the Complaint, Defendants repeat and reallege each and every denial, admission and response to paragraphs FIRST through NINTH of the Complaint with the same force and effect as if fully set forth and repeated at length herein.

ELEVENTH:Deny the allegations contained in paragraph ELEVENTH of the Second Count of the Complaint.

**AS AND FOR A FIRST AFFIRMATIVE DEFENSE**

1. Comparative Fault of plaintiff.

**AS AND FOR A SECOND AFFIRMATIVE DEFENSE**

2. Complaint fails to state a claim upon which relief may be granted.

**AS AND FOR A THIRD AFFIRMATIVE DEFENSE**

3. If plaintiff sustained injuries as alleged in the Complaint, such injuries existed, in whole or in part, prior to the incident alleged in the Complaint.

**AS AND FOR A FOURTH AFFIRMATIVE DEFENSE**

4. Shipowners Limitation of Liability Statues 46 USC. 305005 ct. seq.

**AS AND FOR A FIFTH AFFIRMATIVE DEFENSE**

5. The action should properly be dismissed and/or transferred to another venue under the theory of forum non conveniences.

**AS AND FOR A SIXTH AFFIRMATIVE DEFENSE**

6. Any injuries sustained by plaintiff was caused by or contributed to by third parties over whom the answering defendants had no control or responsibility.

**AS AND FOR A SEVENTH AFFIRMATIVE DEFENSE**

7. Plaintiff failed to take all reasonable steps to reduce/negotiate or minimize the damages alleged in the Complaint.

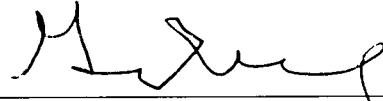
**AS AND FOR AN EIGHTH AFFIRMATIVE DEFENSE**

8. The facts surrounding the allegations contained in the Complaint of Plaintiff require that the laws of Liberia, and not the laws of the United States, should apply to this matter.

**WHEREFORE**, Defendants demand judgment dismissing the Complaint together with costs and disbursements of this action and such other and further relief as to this Court deems just and proper.

Dated: New York, NY  
July 29, 2008

HILL, BETTS & NASH LLP



Gregory O'Neill (GON 1944)  
Francis W. Turner (FT-5174 )  
*Attorneys for Defendants*  
World Financial Center  
200 Liberty Street, 26<sup>th</sup> Fl.  
New York, NY 10281  
(212) 839-7000

AFFIDAVIT OF SERVICE BY MAIL

STATE OF NEW YORK     )  
  ) ss.:  
COUNTY OF NEW YORK    )

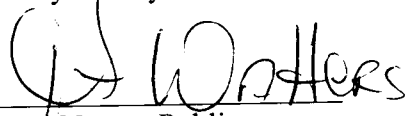
SUZANNE SAPORITO, being duly sworn deposes and says, I am not a party to the action and over 18 years of age. That on the 29th day of July 2008, she served the attached ANSWER upon:

WERTHEIMER ASSOCIATES, P.C.  
225 Browadway, Suite 3800  
New York, NY 10007

by depositing a true copy thereof enclosed in a post-paid wrapper, in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State, addressed to each of the following persons at the last known address set forth after each name.

  
SUZANNE SAPORITO

Sworn to before me this  
29th day of July 2008

  
\_\_\_\_\_  
Notary Public

**JANET M. WALTERS**  
**NOTARY PUBLIC, State of New York**  
**No. 01WAS00684**  
**Qualified in Kings County**  
**Commission Expires**

7-2-11